

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:92CR14
)	
v.)	
)	
CHRISTOPHER ALLEN SCOTT,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court because defendant Christopher Scott has filed a notice of appeal (Filing No. [1232](#)) of this Court's order and judgment (Filing No. [1228](#)) denying his motion for leave to amend and file a supplemental pleading to his prior 28 U.S.C. § 2255 petition (Filing No. [1226](#)).

"Before presenting a second or successive motion, the moving party must obtain an order from the appropriate court of appeals authorizing the district court to consider the motion, as required by 28 U.S.C. § 2255, para. 8." 28 U.S.C. § 2255 Rule 9. This Court denied Scott's motion for leave to amend because it was, in effect, a second, successive § 2255 motion, and the Court did not have an order from the Eighth Circuit authorizing the Court to consider Scott's motion. See Memorandum Opinions, Filing Nos. [1227](#) and [1230](#). Accordingly,

IT IS ORDERED that no certificate of appealability will be issued by this Court. Defendant is permitted to proceed on appeal in forma pauperis.

DATED this 16th day of April, 2013.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court